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23 **UNITED STATES DISTRICT COURT**
24 **DISTRICT OF NEVADA**

25 U.S. EQUAL EMPLOYMENT
26 OPPORTUNITY COMMISSION,

27 Plaintiff,

28 vs.

MARISCOS EL PUERTO, INC., LA
CATRINA, LLC; and DOES 1-10,
inclusive,

Defendants.

Case No.: 2:23-cv-01310-JCM-NJK

**STIPULATION TO CONTINUE
THE EARLY NEUTRAL
EVALUATION DEADLINE AND
TO RESCHEDULE THE EARLY
NEUTRAL EVALUATION
SESSION**

1 IT IS HEREBY STIPULATED AND AGREED, by the U.S. EQUAL
2 OPPORTUNITY COMMISSION (“EEOC”), by and through its counsel of record,
3 LORENA GARCIA-BAUTISTA, ESQ., and MARISCOS EL PUERTO, INC. and
4 LA CATRINA, LLC (collectively, “Defendants”), by and through their counsel of
5 record, JOSHUA D. JUDD, ESQ., to continue the Early Neutral Evaluation
6 deadline and to reschedule the Early Neutral Evaluation scheduled for April 4,
7 2024.

8 This Stipulation is based upon the following:

- 9 1. In August, 2023, this case was assigned to the Early Neutral Evaluation
10 (“ENE”) Program and assigned Magistrate Judge Daniel J. Albregts as the
11 evaluation judge in this case. (ECF No. 3).
- 12 2. On December 19, 2023, the Parties requested a sixty (60) day extension
13 of the ENE deadline, which was February 11, 2024. (ECF No. 18).
- 14 3. On December 21, 2023, this Court granted the Parties’ request and
15 extended the deadline to hold the ENE session to April 11, 2024. (ECF
16 No. 19).
- 17 4. On February 7, 2024, Magistrate Judge Daniel J. Albregts scheduled the
18 ENE for April 4, 2024, and ordered an attorney of record who will be
19 participating in the trial of this case must be present. (ECF No. 23).
- 20 5. Plaintiff EEOC has a scheduling conflict for the week of the scheduled
21 ENE session, including EEOC’s lead counsel, Lorena Garcia-Bautista,
22 who will be participating in the trial of this case, but is not available to be
23 present at the scheduled ENE on April 4, 2024 since she will be on annual
24 leave the first week of April 2024.
- 25 6. The Parties met and conferred, and Defendant’s counsel does not have
26 any objection to rescheduling the ENE to late April.

7. Furthermore, the Parties await the Court's ruling on Defendant's Motion to Dismiss filed on January 12, 2024 (ECF. 20) and would be better positioned to participate in the ENE after such ruling is issued.

8. Due to Plaintiff's scheduling conflict and the pending Motion to Dismiss, the parties are seeking an extension of the ENE by three weeks.

9. The Parties are available on the following dates: April 24, April 25, April 26, April 29, and/or April 30, 2024.

10. This additional time requested herein is not sought for the purposes of delay.

Dated this 15th day of February 2024.

/s/ Lorena Garcia-Bautista

LORENA GARCIA-BAUTISTA,
ESQ.

SBN 234091

ANNA Y. PARK, ESQ.

SBN 164242

NAKKISA AKHAVAN

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TAYLOR MARKEY

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Attorneys for Defendants

Attestation: The Filer (signatory listed above on behalf of Plaintiff U.S. Equal Employment Opportunity Commission) hereby attests that the other signatory listed above, and on whose behalf the filing is submitted, concur in the filing's content, and have authorized the filing.

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

vs.

MARISCOS EL PUERTO, INC., LA
CATRINA, LLC; and DOES 1-10,
inclusive,

Defendants.

Case No.: 2:23-cv-01310-JCM-NJK

**ORDER
REGARDING THE STIPULATION
TO CONTINUE THE EARLY
NEUTRAL EVALUATION
DEADLINE AND TO
RESCHEDULE THE EARLY
NEUTRAL EVALUATION
SESSION**

Based on the Stipulation of the parties, and good cause appearing therefor:
IT IS HEREBY ORDERED that the Early Neutral Evaluation scheduled for April 4, 2024 is
VACATED and RESET to **Monday, April 29, 2024 at 10:00 a.m.**

IT IS FURTHER ORDERED that the confidential evaluation statements must be submitted
by 4:00 p.m. on Monday, April 22, 2024.

IT IS FURTHER ORDERED that all other provisions of the Court's prior Order (ECF No.
23) remain in effect.

IT IS SO ORDERED.

DATED: February 21, 2024



Daniel J. Albregts
UNITED STATES MAGISTRATE JUDGE